

County of Loudoun
Department of Planning
MEMORANDUM

DATE: March 8, 2010

TO:	Building and Development, ERT	William Marsh	MS 60
	Building and Development, Zoning	Marilee Seigfried	MS 60
	Fire, Rescue & Emergency Services	Maria Taylor (3)	MS 61
	Health Services, Environmental	Alan Brewer	MS 68
	Loudoun Water	Julie Atwell	MS 00B
	Office of Transportation Services	Terri Smithson	MS 69
	Parks, Recreation and Community Services	Mark Novak	MS 78
	Planning, CIO	Miguel Salinas	MS 62
	Planning, Comprehensive	Cindy Keegan	MS 62
	Virginia Department of Transportation	Tom Van Poole (3)	MS 00
	Board of Supervisors	Stevens Miller	MS 01
	Planning Commission	Cliff Keirce	MS 62

FROM: Jane McCarter
Project Manager

RE: **SPEX 2010-0001 – Ryan Road Child Care Center**

COMMENT DUE DATE: April 7, 2010

(Note: Please provide referral comments, one paper copy as well as one electronic copy to Jane.McCarter@loudoun.gov by the due date. If you have any questions, please contact me at 703-771-5128.)

Please find the enclosed information for your review:

1. Information Sheet
2. Checklist Waiver letter (scale deviation) dated December 3, 2009
3. Statement of Justification
4. Building renditions and exterior elevation design
5. U. S. Army Corps of Engineers Jurisdictional Determination dated December 4, 2008
6. Phase I Environmental Site Assessment dated November 7, 2008
7. Endangered and Threatened Species Report dated November 7, 2008
8. Tree Stand Evaluation dated November 7, 2008
9. DCR Correspondence dated June 22, 2009 (submitted with ZMAP-2009-0002)
10. Phase I Archeological Investigations dated November 2008
11. Traffic Impact Analysis dated January 8, 2010 & Traffic Checklist dated January 12, 2010
12. Plat dated January 2010 and revised through March 4, 2010

NOTE: Please see LMIS application documents if no hard copy is attached.
Agencies outside the County can view documents at www.loudoun.gov/lola.

SPEX 2010-0001 – Ryan Road Child Care Center

APPLICANT: Van Metre Communities, LLC
Roy R. Barnett, Group President
5252 Lyngate Court
Burke, VA 22015
703-425-2614

OWNER: The Most Reverend Paul S. Loverde,
Bishop of the Catholic Diocese of Arlington Virginia
Catholic Diocese of Arlington
200 N. Glebe Road, Suite 704
Arlington, VA 22203
703-841-2521

REPRESENTATIVE: Cooley Godward Kronish, LLP
Jeffrey A. Nein, AICP
11951 Freedom Drive
Reston, VA 20190
703-456-8103
jnein@cooley.com

PROPOSAL: A Special Exception to permit a child care center in the R-1 zoning district pursuant to Section 3-103(V).

PROPERTY ADDRESS: 42668 Ryan Road, Ashburn, VA 20148

PROJECT LOCATION: North side of Ryan Road (Route 772), east of Belmont Ridge Road (Route 659)

TAX MAP/PARCEL: Tax Map — /92/////////29/ MCPI — 158-27-9331-000

CURRENT ZONING: R-1

SURROUNDING ZONING/LAND USE:

NORTH	R-1	Residential (Forest View)
SOUTH	PDH-4	Residential (Brambleton)
EAST	R-1	Residential (Estates of Forest Ridge)
WEST	PDH-4	Residential (Brambleton)

ELECTION DISTRICT: Dulles

Nein, Jeffrey

From: VanHorn, Ginni [Ginni.Vanhorn@loudoun.gov]
Sent: Thursday, December 03, 2009 5:30 PM
To: Nein, Jeffrey
Subject: RE: Plan Scale Deviation Request

Jeff,

We agree that because of the subject parcel is approximately 2 acres, the scale deviation is appropriate. Like other waivers, this approval doesn't prevent us from asking for a particular scale if it is necessary to better illustrate the project. Please include this correspondence with the submission materials. Ginni

Ginni Van Horn, Land Use Review Planner
Loudoun County Department of Planning
1 Harrison Street, 3rd Floor, MS 62
Leesburg, VA 20177-7000
703-777-0647 (direct)
703-777-0246 (main line)
703-777-0441 (fax)
ginni.vanhorn@loudoun.gov

From: Nein, Jeffrey [mailto:jnein@cooley.com]
Sent: Monday, November 23, 2009 4:39 PM
To: VanHorn, Ginni
Subject: Plan Scale Deviation Request

Hi Ginni. We're putting together a SPEX application for a child care center (see attached Pre-Application Conference Record) and request a plan scale deviation due to the small size of the application property (approximately 2 acres). Our engineers believe a scale of 1" = 30' would be more appropriate than the standard 1" = 200' scale.

If you concur with this request, please respond to this email and we will attach your authorization to the SPEX checklist.

Thanks for your consideration of this request. Please do not hesitate to contact me if you have any questions.

Have a Happy Thanksgiving!

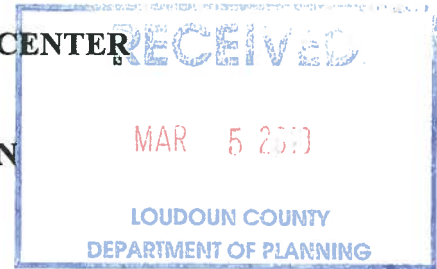
Jeffrey A. Nein, AICP
Senior Land Use Planner
Cooley Godward Kronish LLP ♦ One Freedom Square
11951 Freedom Drive ♦ Reston, VA 20190-5656
Direct: 703-456-8103 ♦ Fax: 703-456-8100
E-mail: jnein@cooley.com
Bio: www.cooley.com/JNein ♦ Practice: www.cooley.com/real estate

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VAN METRE COMMUNITIES, L.L.C.

RYAN ROAD PROPERTY CHILD CARE CENTER
SPEX 2010-0001

STATEMENT OF JUSTIFICATION



PROJECT LOCATION AND OVERVIEW

The special exception application property (the “*Property*”) is approximately 2 acres in area and is located on the north side of Ryan Road (Route 772) approximately 500 feet east of Belmont Ridge Road (Route 659). The Property is a portion of Tax Map 92, Parcel 29 (PIN 158-27-9331), is zoned R-1, and is within the Dulles Election District. The Property is also the subject of a pending boundary line adjustment application, BLAD 2009-0061, that proposes two parcels for the area of the Property (please see Sheet 3 of the submitted special exception plat).

The Property is bordered on the west and south by the Brambleton planned community zoned PD-H4. The Brambleton land bay immediately to the west of the Property is planned for townhouses and the Brambleton land bay on the south side of Ryan Road is developed with single-family detached homes. The R-1 neighborhoods of Forest View and Estates of Forest Ridge are located to the north and east of the Property.

Public schools in the area include Brian Woods High School, Stone Hill Middle School and Legacy Elementary School. Nearby County parks include Edgar Tillet Memorial Park on Belmont Ridge Road to the north and Lyndora Park off of Loudoun County Parkway to the east. The NVRPA Regional Park is also located in the area, just to the west of Briar Woods High School. Local retail centers include the Brambleton Town Center to the west off of Ryan Road, Southern Walk Plaza and The Shoppes at Ryan Park at Exit 6 on the Dulles Greenway, and Broadlands Village Center at Exit 5 on the Dulles Greenway.

The Property currently is developed with a single-family detached home and has access to Ryan Road. The Property has a few mature trees, but contains no wetlands, no floodplain and no steep slopes. As noted in the reports previously filed with ZMAP 2009-0002, Ryan Road Property, there are no archeological or historical sites on the Property, nor are there any endangered/threatened species on the Property.

PROJECT DESCRIPTION

Van Metre Communities, L.L.C., (the “*Applicant*”) is requesting a special exception to allow a child care center on the Property. The proposed child care center has a floor area of approximately 9,600 square feet and is anticipated to have an enrollment of up to 208 children and up to 20 staff members. The proposed layout for the child care center, as depicted on the special exception plat (the “*Plat*”), provides the required fenced outdoor play area for the anticipated enrollment, as well as other open space areas that include two existing specimen trees. While the parking area includes designated pick-up/delivery spaces, as required by the Zoning Ordinance, immediately adjacent to the child care center, parents/guardians will be

required to walk their children into and out of the child care center regardless of where they have parked.

The Property has access to Ryan Road at an existing median break that also serves Legacy Park Drive to the south. This full-movement access point will eliminate the existing right-in/right-out access that currently serves the Property. The Plat also provides for a right-turn lane on Ryan Road for the proposed access drive to the Property. As noted on the Plat, the access drive may be developed as a public street in the event the adjacent R-1 properties are subdivided. The critical root zones of other specimen trees located outside of the Property are depicted on the Plat to demonstrate that these trees will not be impacted by the turn lane on Ryan Road or by the access drive/public street that serves the Property.

COMPREHENSIVE PLAN COMPLIANCE

The Property is located within the Ashburn Community of the Suburban Policy Area. The Planned Land Use Map adopted with the Revised General Plan (the "**RGP**") designates the Property as Residential for densities up to 4 units per acre and for supporting services and amenities. The proposed child care center is conveniently located to serve the variety of existing and planned dwellings in the surrounding area. The minimal lot coverage, approximately 10%, and abundant green areas proposed for the child care center make it an ideal transition use between the low density residential neighborhoods to the east and the higher density residential neighborhoods to the west.

The proposed layout implements environmental policies of the RGP by accommodating existing specimen trees on the Property, thereby supporting policies pertaining to water and air quality, plant and wildlife habitats, and energy conservation. The proposed layout also implements policies of the Revised Countywide Transportation Plan by eliminating a right-in/right-out access point on Ryan Road and replacing it with a full-movement access point located at an existing median break, and by providing a public access easement for a future sidewalk/trail across the Property's Ryan Road frontage.

PROPOSED SERVICE AREA

The proposed child care center generally will serve the area southwest of the Dulles Greenway identified by Zip Code 20148 that includes the planned communities of Brambleton, Broadlands and Loudoun Valley Estates. The Loudoun County Department of Family Services maintains a list of child care centers that have met the licensing requirements of Virginia. The list, updated as of October 1, 2009, indicates that there are only 4 licensed child care centers within all of Zip Code 20148, while the Ashburn area (Zip Code 20147) on the northeast side of the Dulles Greenway has 18 licensed child care centers. These statistics suggest that the area in the vicinity of the Property is under-served with respect to child care centers.

SUMMARY

The proposed child care center is consistent with the land use policies of the Revised General Plan and its location and scale are compatible with the existing and planned adjacent residential uses. The Applicant respectfully requests favorable consideration of this application by the Staff, the Planning Commission and the Board of Supervisors.

SPECIAL EXCEPTION MATTERS FOR CONSIDERATION

REVISED 1993 ZONING ORDINANCE SECTION 6-1310

- (A) *Whether the proposed special exception is consistent with the Comprehensive Plan.*

The SPEX Property is subject to the Revised General Plan's ("**RGP**") Suburban Policy Area land use recommendations, the Retail Policy Plan, and the Bicycle and Pedestrian Plan. The amended Planned Land Use Map designates the Property for Residential uses. The proposed child care center is consistent with the RGP land use recommendations and applicable retail and pedestrian policies.

- (B) *Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.*

The proposed child care center will be constructed to comply with the applicable fire and building codes.

- (C) *Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.*

The proposed child care center will not generate noise that may negatively impact any other uses in the immediate area.

- (D) *Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.*

All exterior lighting for the proposed child care center will be designed to minimize glare on adjacent uses.

- (E) *Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.*

The proposed child care center will be compatible the adjacent residential uses.

- (F) *Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood adequately screen surrounding uses.*

The SPEX Property will be landscaped to meet or exceed all ordinance requirements. All surrounding uses are residential.

- (G) *Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archeological or historic feature of significant importance.*

The location of the proposed child care center does not include any of the above-referenced features.

- (H) *Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.*

The SPEX Property has been cleared and developed with a single family home. The development of the proposed child care center will not have an adverse impact on the environment.

- (I) *Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.*

The location of the proposed child care center on a main thoroughfare will contribute to the convenience of its patrons.

- (J) *Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.*

The proposed child care center will be adequately and safely served by the transportation infrastructure.

- (K) *Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet the code requirements of Loudoun County.*

Not applicable.

- (L) *Whether the proposed special exception will be served adequately by essential public facilities and services.*

The proposed child care center will be served adequately by existing public utilities and essential public services.

- (M) *The effect of the proposed special exception on groundwater supply.*

The proposed child care center will not impact the groundwater supply and will be served by public water.

- (N) *Whether the proposed use will affect the structural capacity of the soils.*

The soil conditions on the SPEX Property will support the proposed child care center.

- (O) *Whether the proposed use will negatively impact orderly and safe road development and transportation.*

The proposed child care center will not negatively impact the existing road network.

- (P) *Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.*

The proposed child care center will provide additional employment opportunities and will augment the County's commercial tax base.

- (Q) *Whether the proposed special exception considers the needs of agriculture, industry and businesses in future growth.*

Not applicable.

- (R) *Whether adequate on and off-site infrastructure is available.*

All necessary infrastructure for the proposed child care center is available.

- (S) *Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.*

The proposed child care center will not generate any offensive odors.

- (T) *Whether the proposed special exception uses sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and school areas.*

Construction traffic will not need to traverse any existing neighborhoods or school areas to access the Property.



Minnieland

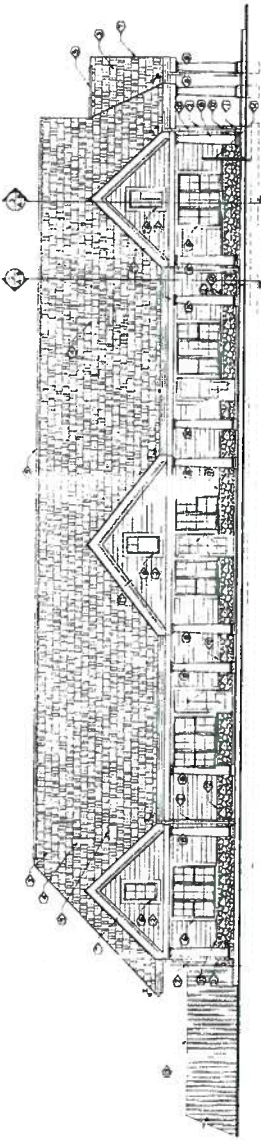


**NEXT GENERATION
 CHILD CARE CENTER**
 SERPENTINE PLACE
 ALDIE, VIRGINIA 20105

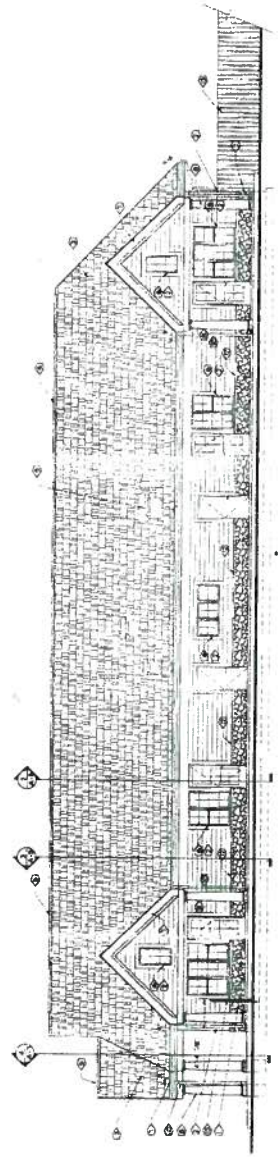


1 FRONT EXTERIOR ELEVATION
 1/8" = 1'-0"

3 BACK EXTERIOR ELEVATION
 1/8" = 1'-0"



2 RIGHT SIDE EXTERIOR ELEVATION
 1/8" = 1'-0"



4 LEFT SIDE EXTERIOR ELEVATION
 1/8" = 1'-0"

Project No.: 05-505

Date: 3/24/2005

Revised: 8/11/2005

Drawn By: [blank]

Check By: [blank]

Scale: 1/8" = 1'-0"

Project Name: [blank]

Project Address: [blank]

Project City: [blank]

Project State: [blank]

Project Zip: [blank]

Project Description: [blank]

Project Comments: [blank]

Project Notes: [blank]

Project Status: [blank]

Project Owner: [blank]

Project Architect: [blank]

Project Engineer: [blank]

Project Designer: [blank]

Project Draftsman: [blank]

Project Checker: [blank]

Project Approver: [blank]

Project Date: [blank]

Project Scale: [blank]

Project Title: [blank]

Project Sheet: [blank]

ELEVATION KEY NOTES

- 1) GUTTER: SEE A-1 FOR EXTERIOR
- 2) ROOF: SEE A-1 FOR EXTERIOR
- 3) ROOF: SEE A-1 FOR EXTERIOR
- 4) ROOF: SEE A-1 FOR EXTERIOR
- 5) ROOF: SEE A-1 FOR EXTERIOR
- 6) ROOF: SEE A-1 FOR EXTERIOR
- 7) ROOF: SEE A-1 FOR EXTERIOR
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- 12) ROOF: SEE A-1 FOR EXTERIOR
- 13) ROOF: SEE A-1 FOR EXTERIOR
- 14) ROOF: SEE A-1 FOR EXTERIOR
- 15) ROOF: SEE A-1 FOR EXTERIOR

EXTERIOR FINISH LEGEND

FINISH	DETAILS
SHINGLE ROOF	SEE A-1 FOR EXTERIOR
ROOF	SEE A-1 FOR EXTERIOR
TRIM	SEE A-1 FOR EXTERIOR
STONE	SEE A-1 FOR EXTERIOR

RECEIVED

FEB 18 2010

**LOUDOUN COUNTY
 DEPARTMENT OF PLANNING**

EXTERIOR ELEVATION

Drawn By: [blank]

Check By: [blank]

Scale: 1/8" = 1'-0"

Project Name: [blank]

Project Address: [blank]

Project City: [blank]

Project State: [blank]

Project Zip: [blank]

Project Description: [blank]

Project Comments: [blank]

Project Notes: [blank]

Project Status: [blank]

Project Owner: [blank]

Project Architect: [blank]

Project Engineer: [blank]

Project Designer: [blank]

Project Draftsman: [blank]

Project Checker: [blank]

Project Approver: [blank]

Project Date: [blank]

Project Scale: [blank]

Project Title: [blank]

Project Sheet: [blank]

A-4



December 10, 2008

Mr. Mark McIntosh
Stone Ridge Community Development II, LLC
5252 Lyngate Court
Burke, VA 22015

Re: Jurisdictional Determination (#03-R2119)
CDA - Ryan Road
Loudoun County, Virginia
WSSI #10630.02



Dear Mr. McIntosh:

Enclosed is a copy of the U.S. Army Corps of Engineers' Jurisdictional Determination (JD) (#03-R2119) confirming the wetland delineation submitted by Wetland Studies and Solutions, Inc. Please note that this JD is valid for a period of five years from the date that it was issued (December 4, 2008).

If you have any questions, please call us at (703) 679-5600.

Sincerely,

WETLAND STUDIES AND SOLUTIONS, INC.

A handwritten signature in black ink, appearing to read "B N Rosner", written over a horizontal line.

Benjamin N. Rosner
Environmental Scientist

Enclosure

L:\10000s\10630.02\Admin\05-ENVRJDletter.doc

10630.02

BNR



Norfolk District

U.S. ARMY CORPS OF ENGINEERS FIELD APPROVED JURISDICTIONAL DETERMINATION

Date: December 4, 2008

Project Number: 03-R2119

Applicant: Stone Ridge Community Development II LLC

Agent: Wetland Studies and Solutions Inc.

Project Name: CDA-Ryan Road

Project Location: Loudoun County

This serves as a field approved jurisdictional determination that waters of the United States (including wetlands) are present on this property. Our basis for this determination is the application of the Corps' 1987 Wetland Delineation Manual and the positive indicators of wetland hydrology, hydric soils, and hydrophytic vegetation. The wetland is a waters of the United States and is part of a tributary system to interstate waters (33 CFR 328.3(a)). These waters meet the Corps' definition of waters of the United States and are part of a tributary system to interstate waters (33 CFR 328.3(a)) and have an ordinary high water mark (or high tide line).

☒ We agree with the wetland delineation described in the letter dated October 31, 2008.

☐ We agree with the wetland delineation as flagged with the following modifications (a revised map is required):

☐ The wetland delineation was flagged by a representative of the U.S. Army Corps of Engineers, as identified below:

☐ There are no jurisdictional waters or wetlands on the subject property.

☐ There are jurisdictional waters or wetlands on your property, which are contiguous with _____ We recommend that you have a wetland delineation performed.

☐ All waters/wetlands on the property are isolated and will not require a Department of the Army permit. However, a permit may be required from the Virginia Department of Environmental Quality.

Any discharge of dredged and/or fill material associated with mechanical land clearing, stumping or grading (such as with an excavator, bulldozer, or root rake), or any filling in jurisdictional areas will require a Department of the Army permit prior to such work occurring. An administrative appeals form is enclosed. This jurisdictional determination is valid for a period of five years from the date of this letter, unless new information warrants revision of the delineation before the expiration date. If you have any questions, please contact the project manager listed below.

A condition of this jurisdictional determination is that you maintain the locations of the wetland delineation flags as they are now situated on the site. It is recommended that the actual wetland boundary be located by survey and superimposed on any proposed plan to determine whether jurisdictional waters would be impacted by the development and to determine whether a Department of the Army permit would be required.

Ronald H. Stouffer, Jr.
Project Manager
Northern Virginia Regulatory Section

703-221-6967

Telephone number

DEC 05 2008

F.S.M. Traffic Study Guidelines (12/07)
Checklist for Application Acceptance

Loudoun County Virginia
Office of Transportation Services

Page 1 of 4 *Wells Study dated January 8, 2010*

Application Name: *Ryan Road Property*

Date: *1/12/10*

Application Type: *Special Exception*

Reviewer: *Sam Phillips*

of Guidelines Satisfied: *13* of 13

Accept or Reject: *Accept*

Comment: _____

- (1) **Study Area:** Roadways internal or adjacent to the development site shall be included in the traffic study. The study area should be defined at the scoping meeting and as a guideline should include other external roads to the extent that the project's generated traffic is anticipated to exceed 10 percent of the road's current/existing traffic volumes (at the time of application).

Does Study Meet Guidelines? *yes* Comments: *See page 5 and Appendix C*

- (2) **Traffic Count Locations:** Traffic counts are required on the adjacent roads, the adjacent intersections beyond the project's frontage on adjacent roads in the study area. The AM/PM peak period traffic counts shall not be more than twelve (12) months old at the time of the application submission. Twenty-four (24) hour weekday traffic counts are also required for roadway segments.

Does Study Meet Guidelines? *yes* Comments: *All intersections (site) and Route 659/ Route 772 included. See pages 6 + 7*

- (3) **Trip Generation:** As a general guide to vehicle trip generation, the latest edition of the Institute of Transportation Engineer's (I.T.E.). Trip Generation Report shall be used. These rates may be supplemented by additional information provided by the County. If the applicant chooses to use different rates, they shall be documented and agreed to at the scoping meeting prior to their use in the traffic analyses. Primary trip reductions associated with passby trips and methodologies for trip reductions associated with passby trips shall be discussed and agreed upon at the scoping meeting.

Does Study Meet Guidelines? *yes* Comments: *See page 15 and Table 2 on page 16*

F.S.M. Traffic Study Guidelines (12/07)
Checklist for Application Acceptance
Page 2 of 4

Loudoun County Virginia
Office of Transportation Services

- (4) **Traffic Volume Projections**: The traffic study shall include an agreed upon build out year and provide existing and projected traffic volumes, with and without the subject project, for Average Daily Traffic (ADT), as well as AM and PM peak hours. The peak hour of the project/individual land use(s) (as given in the ITE Trip Generation Report) should be added to the corresponding AM/PM existing peak hour of the adjacent roadway traffic volumes (to show the worst case scenario), if the peak hour of the project/individual land use(s) for the generator is greater than the peak hour of the adjacent roadway (per ITE Trip Generation Report). The existing peak hour of traffic on the roads adjacent to the subject project site shall be identified. These traffic volumes shall be provided at roadway intersections and commercial or private accessways/entrances.

Does Study Meet Guidelines? yes Comments: See page 7, 8,
See page 12 + 13, 14, 18 + 19

- (5) **LOS Analysis**: : Level of Service (LOS) calculations for existing and projected conditions, with and without the subject project, for highway segments, intersection legs, and entrances shall be provided. Calculations shall be in accordance with the Highway Capacity Manual (HCM) and/or the Highway Capacity Software (HCS), or as may be agreed at the scoping meeting. Traffic volumes and LOS information shall be provided for each phase of development, to include conditions at date of project completion. Projections shall also be made for date of completion plus ten (10) years or to an agreed upon forecast year.

Does Study Meet Guidelines? yes Comments: See page 9 (Table 1),
page 13, 14, 18, 19

- (6) **Minimum Roadway/Intersection LOS Standards**: Recommendations for phased improvements to the road network links in order to maintain an acceptable LOS (minimum LOS "D") shall be provided. For each phase up to and including buildout, a minimum approach and overall LOS "D" at intersections shall apply.

Does Study Meet Guidelines? yes Comments: See page 20 for
conclusions

- (7) **Background Traffic Assumptions:** Assumptions which determine projected background traffic, including through traffic growth rate to be applied on roadway links, shall be confirmed at the scoping meeting. The sources for determining future traffic projections will include one or more of the following:

- The Loudoun County Growth Summary or similar documents from Loudoun County.
- The Loudoun County transportation model which incorporates COG's Cooperative Forecasts for Loudoun County.
- Approved developments in the vicinity of the proposed development.

Specific other approved development names and respective development square footage or residential units in the study shall be provided.

Does Study Meet Guidelines? yes Comments: See pages 8, 11, 12

- (8) **Traffic/Trip Distribution:** Directional trip distribution information shall be provided for project entrances and collector and arterial intersections within the study area for the phases and categories (e.g., residential, office, retail, industrial and institutional) of development.

Does Study Meet Guidelines? yes Comments: See page 17

- (9) **LOS Calculations Assumptions:** Traffic counts and LOS worksheets and projected traffic volume LOS analyses, using agreed upon analysis techniques, including existing AM/PM peak hour signal timing, shall be included as a part of the traffic study.

Does Study Meet Guidelines? yes Comments: Traffic Counts included
(Appendix D) / SDP Compliance Package (Appendix B)
Appendix G (HCS Synchro Runs)
Disk Included

- (10) **Mode Choice:** Modal split information shall be provided for the phases of the analysis, with sources of information identified (e.g., COG model).

Does Study Meet Guidelines? yes Comments: N.A.

F.S.M. Traffic Study Guidelines (12/07)
Checklist for Application Acceptance
Page 4 of 4

Loudoun County Virginia
Office of Transportation Services

- (11) **Safety Locations**: Road safety hazards, as identified by the ISTEA set-aside funding criteria and/or as identified by the County at the scoping meeting, within the study area shall be analyzed for all roadway links and intersections in the traffic study.

Does Study Meet Guidelines? yes Comments: See page 6

- (12) **Traffic Mitigation Measures**: If trip reduction factors are used in the study, measures necessary to implement the reduction must be specified, with supporting documentation.

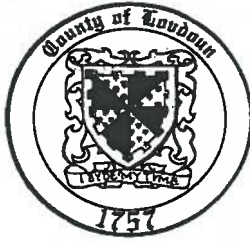
Does Study Meet Guidelines? yes Comments: N.A.

- (13) **Bicycle & Pedestrian Accommodations**: When bicycle and pedestrian accommodations are used to reduce anticipated traffic volumes, a description of the physical and functional characteristics of the proposed bicycle and pedestrian accommodations shall be provided. If such separate bicycle accommodations (e.g., striped lanes or multi-purpose trails) are anticipated, they shall also be identified. A description of the functional characteristics shall be provided to identify the transportation options that these accommodations provide (e.g., pedestrian access to retail center, safe bicycle route to elementary school, inter-parcel connections to adjacent neighborhoods, access to W&OD trail, etc.)

Does Study Meet Guidelines? yes Comments: N.A.

lmm/

G:\LCG\OTS\FSM Traffic Study Scoping Documents\FSM Checklist for Application (12-07 FSM Revisions).doc



Loudoun County, Virginia

Department of Planning

1 Harrison Street, S.E., 3rd Floor, P.O. Box 7000, Leesburg, VA 20177-7000

Telephone (703) 777-0246 • Fax (703) 777-0441

March 8, 2010

Jeffrey A. Nein, AICP
Cooley Godward Kronish, LLP
11951 Freedom Drive
Reston, VA 20190

RE: SPEX 2010-0001 – Ryan Road Child Care Center

Dear Mr. Nein:

This letter serves to inform you that the above referenced land development application has been officially accepted for processing as of March 8, 2010. I have been asked to serve as the Project Manager and look forward to working with your team. Should you wish to review the public file, a hard copy is available in the file room located in the Department of Building and Development or to access documents electronically, please go to www.loudoun.gov/lola. This link also provides an additional opportunity for public input on active applications. If you have any further questions regarding the review and processing of this application, please feel free to contact me.

Sincerely,

Jane McCarter, Planner
Project Manager

cc: Van Armstrong, Land Use Review Program Manager, Department of Planning



Loudoun County, Virginia

Department of Planning

1 Harrison Street, S.E., 3rd Floor, P.O. Box 7000, Leesburg, VA 20177-7000

Telephone (703) 777-0246 • Fax (703) 777-0441

March 8, 2010

RE: SPEX 2010-0001 – Ryan Road Child Care Center

Dear Adjacent Property Owner:

This letter serves to inform you that the above referenced land development application has been officially accepted for processing as of March 8, 2010. Should you wish to review the public file, a hard copy is available in the file room located in the Department of Building and Development or to access documents electronically, please go to www.loudoun.gov/lola. This link also provides an additional opportunity for public input on active applications. If you have any further questions regarding the review and processing of this application, please feel free to contact me.

Sincerely,

Jane McCarter, Planner
Project Manager

cc: Jeffrey A. Nein, Cooley Godward Kronish, LLP
Van Armstrong, Land Use Review Program Manager, Department of Planning

Attachment on back

SPEX 2010-0001 – Ryan Road Child Care Center

APPLICANT: Van Metre Communities, LLC
Roy R. Barnett, Group President
5252 Lyngate Court
Burke, VA 22015
703-425-2614

OWNER: The Most Reverend Paul S. Loverde,
Bishop of the Catholic Diocese of Arlington Virginia
Catholic Diocese of Arlington
200 N. Glebe Road, Suite 704
Arlington, VA 22203
703-841-2521

REPRESENTATIVE: Cooley Godward Kronish, LLP
Jeffrey A. Nein, AICP
11951 Freedom Drive
Reston, VA 20190
703-456-8103
jnein@cooley.com

PROPOSAL: A Special Exception to permit a child care center in the R-1 zoning district pursuant to Section 3-103(V).

PROPERTY ADDRESS: 42668 Ryan Road, Ashburn, VA 20148

PROJECT LOCATION: North side of Ryan Road (Route 772), east of Belmont Ridge Road (Route 659)

TAX MAP/PARCEL: Tax Map — /92/////////29/ MCPI — 158-27-9331-000

CURRENT ZONING: R-1

SURROUNDING ZONING/LAND USE:

NORTH	R-1	Residential (Forest View)
SOUTH	PDH-4	Residential (Brambleton)
EAST	R-1	Residential (Estates of Forest Ridge)
WEST	PDH-4	Residential (Brambleton)

ELECTION DISTRICT: Dulles



Jeffrey A. Nein, AICP
Specialist Land Use Planner
(703) 456-8103
jnein@cooley.com

BY HAND DELIVERY

March 5, 2010

Wini Polis
Planner
Department of Planning
1 Harrison St., S.E., 3rd Floor
Leesburg, Virginia 20177-7000

**RE: SPEX 2010-0001, Ryan Road Child Care Center
Response to Checklist Review Comments**

Dear Wini:



Enclosed are 17 copies each of the revised SPEX plat and the Statement of Justification, along with two sets of revised mailing labels for the applicant, the owner, and the adjacent property owners.

We are also providing hard copies of each of the following reports, as you requested: Phase I Archeological Study, Endangered Species Report, Tree Survey/Study, and Phase I Environmental Report.

Thanks again for your assistance. Please do not hesitate to contact me if there is any other information you require.

Very truly yours,

Cooley Godward Kronish LLP

Jeffrey A. Nein, AICP
Senior Land Use Planner

Enclosures

433397 v1/RE



Jeffrey A. Nein, AICP
Specialist Land Use Planner
(703) 456-8103
jnein@cooley.com

BY HAND DELIVERY

February 18, 2010

Wini Polis
Planner
Department of Planning
1 Harrison St., S.E., 3rd Floor
Leesburg, Virginia 20177-7000



**RE: SPEX 2010-0001, Ryan Road Child Care Center
Response to Checklist Review Comments**

Dear Wini:

Thank you again for meeting with me on February 16th. The following is a summary of our discussion and a description of the documents submitted with this letter to address your checklist review comments of February 6th (copy enclosed).

1. The Statement of Justification has been revised to include a reference to the pending Boundary Line Adjustment application for the SPEX property (BLAD 2009-0061). A copy of the revised Statement of Justification is enclosed and an electronic copy has been emailed to you.
2. The Existing Conditions plat has been revised to include parcel ownership, zoning and use information for all abutting properties and those on the south side of Ryan Road. Two copies of the revised Special Exception Plat are enclosed.
3. A copy of JD Number 03-R2119 is enclosed and an electronic copy has been emailed to you.
4. As we discussed, Phase I environmental and Phase I archeological studies have been performed for the SPEX property, so notes 6 and 8 on the cover sheet of the SPEX plat are correct. For your records, a copy of the Phase I environmental study is enclosed and an electronic copy has been emailed to you.
5. An elevation and illustratives of the type of building anticipated for the child care center are enclosed and electronic copies have been emailed to you.
6. Two sets of revised mailing labels for the adjacent property owners are enclosed.

Please let me know when this application is accepted for review and the number of copies of these documents you will need for distribution to the referral agencies.



Wini Polis
February 18, 2010
Page Two

Thanks again for your assistance. Please do not hesitate to contact me if there is any other information you require.

Very truly yours,

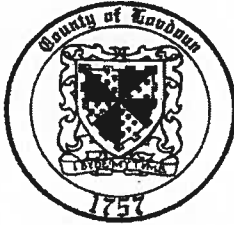
Cooley Godward Kronish LLP

A handwritten signature in black ink, appearing to read "Jeffrey A. Nein". The signature is written over the printed name and title.

Jeffrey A. Nein, AICP
Senior Land Use Planner

Enclosures

431508 v1/RE



Loudoun County, Virginia
Department of Planning
1 Harrison Street, S.E., 3rd Floor,
P.O. Box 7000, Leesburg, VA 20177-7000
Telephone (703) 777-0246 • Fax (703) 777-0441

February 6, 2010

Mr. Jeffrey A. Nein, AICP
Cooley Godward Kronish LLP
11951 Freedom Drive
Reston, VA 20190-5656

RE: SPEX 2010-0001 – Ryan Road Child Care Center

Dear Mr. Nein:

This letter serves to inform you that the above referenced application has been reviewed for minimum checklist submission compliance. The following material has not been provided or needs to be clarified before the application can be officially accepted for processing:

1. Please provide in the statement of justification a description of the future boundary line (BLAD) lot configuration as shown on the Special Exception plat Sheet 3 of 3.
2. Revise the Existing Condition plat sheet for all adjacent parcels of land to include current parcel boundaries, ownership, use, and zoning. Please be sure to include parcels of land located on the south side of Ryan Road across the street from the proposed childcare center.
3. Please submit the jurisdictional determination received from the Corps of Engineers JD Number 03-R2119 dated December 4, 2008.
4. Please submit the Phase I Environmental Site Assessment conducted by Environmental Consultants and Contractors Inc. dated November 7, 2008 as noted in plat note Number 8. A Phase I study was submitted for the Ryan Road Property ZMAP-2009-0002 and was conducted by Thunderbird Archeology dated November 2008. Either submit the Environmental Consultants report or revise the plat note.
5. Please provide a building illustration for the proposed 9,600 square feet childcare center.
6. Please submit (2) sets of pre-printed address/ mailing labels with the current owner name and current owner mailing address as shown with the Loudoun County Office of the Assessor for all adjacent parcels of land including parcels located on the south side of Ryan Road.

Once this information is revised, please submit (2) full-sized hard copies of the revised plat and statement of justification. Should you have any questions regarding the review and processing of your application, please feel free to contact me at 703-737-8446 or by email wini.polis@loudoun.gov.

Sincerely,

Wini Polis, Planner

Cc: Van Armstrong, Land Use Review Program Manager, Department of Planning

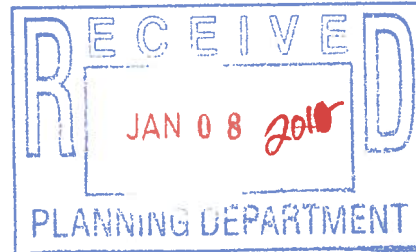
Jeffrey A. Nein, AICP
(703) 456-8103
jnein@cooley.com

BY HAND DELIVERY

January 8, 2010

Michelle Motture
Department of Planning
1 Harrison St., S.E., 3rd Floor
Leesburg, Virginia 20177-7000

**RE: Special Exception Application
Ryan Road Property**



Dear Michelle:

On behalf of Van Metre Communities, L.L.C., we are pleased to submit the enclosed Special Exception ("SPEX") application for a child care center on a portion of the Ryan Road Property (Pre-Application Conference 2009-0084).

This application submission package includes the following:

1. One completed and signed Special Exception Application Checklist of Minimum Requirements, including approved plat scale deviation.
2. One completed and signed Land Development Application form.
3. Certificate of Payment of Taxes/Use Value Assessment Program statement for the SPEX Application property.
4. One completed, signed and notarized Disclosure of Real Parties in Interest affidavit.
5. One copy of the Pre-Application Conference Record for PRAP 2009-0084.
6. Three check copies of the Statement of Justification.
7. Three check copies of the SPEX Plat, including Vicinity Map, dated January 2010, prepared by J2 Engineers.
8. Six copies of the Traffic Impact Analysis, dated January 8, 2010, prepared by Wells & Associates.
9. One copy of a statement regarding community meetings.
10. Two sets of pre-printed address/mailing labels for all adjacent property owners.



Michelle Motture
January 8, 2010
Page Two

11. The SPEX Application fee check in the amount of \$15,750 made payable to County of Loudoun.

The SPEX Application property is a portion of the property that was the subject of ZMAP 2009-0002, Ryan Road Property, which has now been withdrawn. The submission documents for ZMAP 2009-0002 included a Tree Stand Evaluation, an Endangered and Threatened Species Habitat Evaluation and Rare Species/Community Assessment, and a Phase I Archeological Investigation, all of which address the area of the SPEX Application. Additional copies of these reports can be provided, if necessary.

Please forward your review comments to me as soon as possible and we will provide you with the required number of documents for your review.

Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions or require any additional information.

Very truly yours,

Cooley Godward Kronish LLP

A handwritten signature in black ink, appearing to read "Jeffrey A. Nein". The signature is written over the printed name and title.

Jeffrey A. Nein, AICP
Senior Land Use Planner

Enclosures

cc: Roy R. Barnett, Van Metre Communities, L.L.C.

426415 v1/RE

LOUDOUN COUNTY DEPARTMENT OF PLANNING

1 Harrison Street, S.E., 3rd Floor, P.O. Box 7000, Leesburg, VA 20177 Local (703) 777-0246

MINIMUM SUBMISSION REQUIREMENTS FOR SPECIAL EXCEPTION APPLICATION

Application No. _____

TO BE COMPLETED BY THE APPLICANT

Project Name: Ryan Road Property, Child Care Center _____

Proposed Use: Child Care Center, ZO Sect. 3-103(V) _____

Project Location: North side of Ryan Road approximately 500 feet east of Belmont Ridge Road _____

Tax Map #(s): 92 _____ Parcel #(s): 29 (part) _____

Parcel Owner(s): The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington and his successors in office Telephone No.: (703) 841-2521 _____

Applicant/Authorized Agent: Van Metre Communities, L.L.C. Telephone No.: (703) 425-2614 _____

Engineer/Surveyor: J2 Engineers, Inc. Telephone No.: (703) 361-1550 _____

Attorney: Cooley Godward Kronish, LLP Telephone No.: (703) 456-8103 _____

Signature of Person Completing Checklist:  Date: 1/8/10 _____

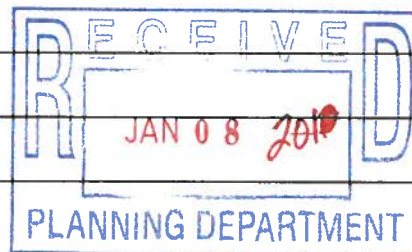
TO BE COMPLETED BY THE PLANNING OFFICE PERSONNEL

Date Received: _____ Date Reviewed: _____

Reviewed by: _____ Date Accepted/Not Accepted: _____

Reason(s) For Not Accepting: _____

MCPI Number(s): _____



A. APPLICANT RESPONSIBILITIES. The applicant must complete all of the Special Exception information contained in this checklist, or present written approval for any deviation therefrom. Written approval from the designated department for any deviation from mandatory requirements must be obtained prior to application submission.

Where proposed project information is requested in this checklist for adjacent property to the proposal, this information may be limited to projects on file with the County or with an adjacent incorporated town or surrounding jurisdiction.

All plats or plans submitted with this application shall be folded to a size of approximately 8½" x 11" with the title block visible.

If the application is judged incomplete, the staff will identify in writing the deficiencies that must be corrected. The application will not be accepted for processing. The fee and materials will be returned to the applicant.

All required forms are available in the Department of Planning.

Approved Deviations:

Please see attached plat scale deviation authorization. _____

B. <u>LAND DEVELOPMENT APPLICATION FORM.</u> Submit a completed land development application form, including the following:	SUBMITTED		
	YES	NO	N/A
1. Name of the applicant(s).	X		
2. Applicant(s) address: city/state/zip.	X		
3. Applicant(s) telephone number(s).	X		
4. Authorized representative.	X		
5. Representative's address: city/state/zip code.	X		
6. Representative's telephone number(s).	X		
7. Property owner(s).	X		
8. Property owner(s) address: city/state/zip code.	X		
9. Property owner(s) telephone number(s).	X		
10. Present zoning classification(s). ²	X		
11. Project location.	X		
12. Tax map & parcel number(s); MCPI number(s).	X		
13. Proposed name of the subdivision, development or business.	X		
14. Election district(s) in which the proposed special exception is located.	X		

1. Information available from the Office of Mapping
2. Information available from the Department of Building and Development
3. Information available from the Clerk of the Circuit Court
4. Information available from the Department of Planning

	SUBMITTED		
	YES	NO	N/A
15. Signature of the applicant.	X		
16. Signature of the owner.	X		
C. <u>CERTIFICATE OF PAYMENT OF TAXES</u> . Provide a certificate verifying that real estate taxes have been paid for all property included in the application. (A certificate of payment of taxes is available from the Treasurer's Office.)	X		
D. <u>USE VALUE ASSESSMENT PROGRAM</u> . Provide a statement which identifies any parcel(s) currently subject to the County's Use Value Assessment that are included as part of this application. (A Land Use certificate is available from the Department of Financial Services.)			X
E. <u>DISCLOSURE OF REAL PARTIES IN INTEREST</u> . Provide completed disclosure form(s).	X		
F. <u>FEES</u> . Provide a check made payable to the County of Loudoun.	X		
G. <u>BUILDING DESIGN</u> . Provide 15 copies of floor plans and elevations for the front, sides, and rear of any on-site structures proposed.			
H. <u>RECORD OF PRE-APPLICATION CONFERENCE</u> . Provide a copy of the documentation provided at the conference.	X		
I. <u>STATEMENT OF JUSTIFICATION</u> . Provide 15 copies of a written Statement of Justification describing the project and detailing the reason(s) why the granting of a special exception is appropriate. The statement must address the issues for consideration in Section 6-1310 of the Zoning Ordinance including a description of the proposed development's compliance with the environmental, cultural, land use, economic and fiscal, and design goals and policies of the Comprehensive Plan.	(3 copies for check list review)		
J. <u>VICINITY MAP</u> . Provide 15 copies of a map labeled "Vicinity Map" at a scale of 1" = 1000', 8½" x 11" in size with approximate Virginia coordinate grid information with the proposal's property centered on the map. ¹ Include the following information on the map:	X (see SPEX plat)		
1. Approximate location of arterial and collector streets and any local streets connecting to the proposed project and street names or numbers; major streams or rivers; the Potomac River; the W&OD Trail. ¹	X		
2. Project boundaries and all existing lot boundaries (as shown on the County parcel maps) within the project and surrounding the project within the vicinity map area. ¹	X		
3. For adjacent property within 200 feet including property across the road from project, include the following: a. Approved and proposed projects or subdivision names, lot lines, section and lot numbers ¹ and zoning ² . b. Existing and proposed land uses at time of submission; lots; existing structures within 200 feet of the proposed project. ¹ c. Adjacent open space easements, park and recreation land.	X		
4. Jurisdictional boundaries. ¹			X

1. Information available from the Office of Mapping

2. Information available from the Department of Building and Development

3. Information available from the Clerk of the Circuit Court

4. Information available from the Department of Planning

K. SPECIAL EXCEPTION PLAT. Submit 15 copies of the plan at a scale of 1 inch = 200 feet.¹ If the proposed plan is not submitted at 1" = 200', a deviation to a more meaningful scale may be requested. At least three (3) plans must be provided at 1" = 200'. Four (4) copies are required when floodplain or mountainside exists on a site. To facilitate review of issues for consideration in Section 6-1310 of the Zoning Ordinance, the special exception plat shall include the following information:

3 copies submitted for check list review	SUBMITTED		
	YES	NO	N/A
1. The scale, north point and date. ¹	X		
2. The boundary of the property showing bearings and distances. ¹	X		
3. Owner's names and zoning of adjacent property. ²	X		
4. Signature of the property owner or applicant.	X		
5. Archaeological or historical features included in the State or National Register of Historic Places. a. Existing and proposed buildings; structures, walls, and fences on site. ¹ For buildings and structures, indicate their date of construction, as determined by record search and visual survey, and whether it is planned that they be retained or demolished. b. The applicant must also conduct a survey of historic architecture, known and potential historic and archaeological sites. Identify any known grave, object, or structure marking a place of burial, as determined by record search and visual survey.	Please see file for ZMAP 2009-0002.		
6. a. Show location and area footprint, height of proposed use and identify use. Dimensions must be drawn to scale. b. Parking/loading areas: building and parking setbacks (front, side and rear). ² Dimensions must be drawn to scale.	X		
7. The proposed location, lighting and type of sign.			X
8. Adjacent property information including property across the road from project: a. Approved and proposed projects or subdivision names, lot lines, section and lot numbers and zoning. ¹ b. Existing and proposed land uses at time of submission; lots; existing structures within 200' of the proposed project. ¹ c. Existing and proposed abutting roads and their right-of-way widths. ¹ d. Existing nonresidential access points, existing and proposed roadway intersections and median breaks. ¹ f. Major roads identified in the County Transportation Plan and roads identified in the current Loudoun County/VDOT six-year plan. ⁴	X		
9. Location of proposed/existing well and septic system. Provision of evidence that application has been made to the County Health Department for proposed project's sewer and water systems if Loudoun County Sanitation Authority service is not available.			X

1. Information available from the Office of Mapping

2. Information available from the Department of Building and Development

3. Information available from the Clerk of the Circuit Court

4. Information available from the Department of Planning

	SUBMITTED		
	YES	NO	N/A
10. On-site roadway information including: ¹ a. Existing and proposed access points to existing state road system including roadway entrance widths. b. Existing and proposed locations of internal through public street network and right-of-way widths; access points with adjacent parcels.	X		
11. Include parking/loading areas.	X		
12. The location and general description of vegetation and existing tree cover including: a. A description of type and extent of tree cover that identifies canopy, understory growth and other flora; b. An inventory of evergreen trees with calipers of 14 inches or larger and deciduous trees with calipers of 22 inches or larger (measured 4.5 feet above the ground); and c. Endangered species habitat ⁵ . d. The nature and extent of existing and/or proposed landscaping, screening or buffering on the site.	X Please see file for ZMAP 2009-0002.		
13. Topography at contours not more than five (5) feet. <i>Note: The Director may request a two (2) foot contour.</i>	X		
14. The location of any steep slopes.			X
15. The location and type of any fuel and fuel storage and a listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Commonwealth of Virginia Department of Waste Management.			X
16. Where applicable, the limits of floodplain boundaries are to be delineated. The plan shall utilize and identify the source as the Floodplain Map of Loudoun County.			X
17. Limits of any overlay districts on the property (HCC, AI, FOD, MDOD). ²			X
18. If requested by the Planning Director the applicant shall provide: a. A minimum of two cross-sections where a grade change of 3 feet or more is proposed or where buildings are proposed. The cross-sections shall illustrate existing and proposed topography, height and density of vegetation and the dimensions of proposed buildings. b. For projects adjacent to existing residentially zoned or used property, three-dimensional sketches providing a "bird's eye" (45°) view and at least two eye-level perspectives (30°) of the project illustrating the relationship between the proposed development and the surrounding community. <i>Note: The cross-sections and/or sketches shall be provided no later than the applicant's response to the initial agency comments (referrals).</i>			X

1. Information available from the Office of Mapping
2. Information available from the Department of Building and Development
3. Information available from the Clerk of the Circuit Court
4. Information available from the Department of Planning
5. Information available from the State Department of Natural Resources

	SUBMITTED		
	YES	NO	N/A
19. Identification of any Federal or State permits or conditions that directly limit development on the subject property.			X
L. <u>TRAFFIC STUDY</u> . Provide 6 copies of a traffic analysis indicating the relationship of the proposed development to traffic, road and transit use and plans according to FSM Section 4-200B including the following elements:	X		
1. Study area.	X		
2. Traffic count locations.	X		
3. Trip generation.	X		
4. Traffic volume projections.	X		
5. Level of service analysis.	X		
6. Minimum roadway/intersection level of service standards.	X		
7. Background traffic assumptions.	X		
8. Traffic/trip distribution.	X		
9. Level of service calculation assumptions.	X		
10. Mode choice.	X		
11. Safety locations.	X		
12. Traffic mitigation measures.	X		

- M. COMMUNITY MEETINGS. The applicant must submit a list or schedule of meetings between the applicant and the surrounding communities either held or scheduled to be held.
- N. MAILING LABELS. The applicant must submit two (2) sets of pre-printed address/ mailing labels with addresses of all adjacent property owners.
- O. CERTIFICATION OF APPLICATION SUBMISSION. I hereby certify that the above stated information is included in the attached special exception application and accompanying materials. Further, I have included on the site plan any conditions required by proffers of an approved rezoning for this site, or required by a variance approval, special agreements or covenants.

APPLICANT'S REPRESENTATIVE'S SIGNATURE



DATE

1/8/10

Application: _____ Accepted _____ Rejected _____

Checklist Reviewer _____

Date _____

Nein, Jeffrey

From: VanHorn, Ginni [Ginni.Vanhorn@loudoun.gov]
Sent: Thursday, December 03, 2009 5:30 PM
To: Nein, Jeffrey
Subject: RE: Plan Scale Deviation Request

Jeff,
We agree that because of the subject parcel is approximately 2 acres, the scale deviation is appropriate. Like other waivers, this approval doesn't prevent us from asking for a particular scale if it is necessary to better illustrate the project. Please include this correspondence with the submission materials. Ginni

Ginni Van Horn, Land Use Review Planner
Loudoun County Department of Planning
1 Harrison Street, 3rd Floor, MS 62
Leesburg, VA 20177-7000
703-777-0647 (direct)
703-777-0246 (main line)
703-777-0441 (fax)
ginni.vanhorn@loudoun.gov

From: Nein, Jeffrey [mailto:jnein@cooley.com]
Sent: Monday, November 23, 2009 4:39 PM
To: VanHorn, Ginni
Subject: Plan Scale Deviation Request

Hi Ginni. We're putting together a SPEX application for a child care center (see attached Pre-Application Conference Record) and request a plan scale deviation due to the small size of the application property (approximately 2 acres). Our engineers believe a scale of 1" = 30' would be more appropriate than the standard 1" = 200' scale.

If you concur with this request, please respond to this email and we will attach your authorization to the SPEX checklist.

Thanks for your consideration of this request. Please do not hesitate to contact me if you have any questions.

Have a Happy Thanksgiving!

Jeffrey A. Nein, AICP
Senior Land Use Planner
Cooley Godward Kronish LLP ♦ One Freedom Square
11951 Freedom Drive ♦ Reston, VA 20190-5656
Direct: 703-456-8103 ♦ Fax: 703-456-8100
E-mail: jnein@cooley.com
Bio: www.cooley.com/JNein ♦ Practice: www.cooley.com/real_estate

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LOUDOUN COUNTY
LAND DEVELOPMENT APPLICATION

PLEASE PRINT IN INK OR USE TYPEWRITER

TYPE OF APPLICATION: Zoning Map		Application Number Assigned	
Amendment Petition		Fee Amount Paid	
1972 Zoning Ordinance		Receipt Number	
1993 Zoning Ordinance		Date of Official Acceptance	
X Revised 1993 Zoning Ordinance			
Calculations of Bond (CPAP, CPAP REVISION, REST, STPL, STPR & STMP)		NA	
Total Number of Cross-Sections (FPAL Type II & FPST) NA			
Estimated Square Feet of Land Disturbance (SPEX) NA			
Project Name:		Subdivision Name (if different from project name):	
Ryan Road Child Care Center		Subdivision Section:	
		Lot Numbers:	
Description of Proposed Project: (Must be completed) Special Exception (SPEX) application for a child care center, ZO Sect. 3-103(V), on a portion of Tax Map 92, Parcel 29.			
Number and Types of Proposed Lots			
PROPOSED RESIDENTIAL UNITS (This section is to be completed for all residential applications).			
Residential	Total	Quantity	Quantity
		Units	Affordable
Non-residential	1 (child care center)	NA	NA
Conservancy		NA	NA
Open Space			
Other (Specify type)			
Total Lots	50	Total	NA
PROPOSED NON-RESIDENTIAL SQUARE FOOTAGE This section must be completed for all non-residential applications and non-residential components of residential applications. Describe the type (s) in the appropriated category and the total square footage for the category.			
Category	Description of Use	Square Footage	
Ag-Residential			
Sales & Service			
Office			
Industrial			
Gov't, Utilities & Public Service			
Recreation & Special Interests			
Transportation & Communications			
Education & Training			
Other (specify)	Child Care Center	10,000 sq. ft. +/-	
Total Square Footage		10,000 sq. ft. +/-	
PROJECT LOCATION			
Property Address:	Property Location:		
42668 and 42706 Ryan Road	North side of Ryan Road, approximately 500 feet east of Belmont Ridge Road (Rt. 659)		
ELECTION DISTRICT(S)	Dulles		
PROPERTY TAX MAP, ACREAGE AND ZONING INFORMATION			
Tax Map Number(s) or Pin	Zoning District(s)	Acres	Zoning Status
158-27-9331	R-1	7.86	Existing R-1
			Proposed R-1

March 2, 2009



SURROUNDING LAND USES AND ZONING			
LAND USE		ZONING	
NORTH	Residential	R-1	
SOUTH	Residential	PD-H4	
EAST	Residential	R-1	
WEST	Residential	PD-H4	

APPLICANT(S)	
Company Name	Van Metre Communities, L.L.C.
Name of Person & Title	Roy R. Barnett Group President
Mailing Address	5252 Lyngate Court
City, State, Zip Code	Burke, VA 22015
Daytime Telephone	(703) 425-2614
E-mail Address	rbarnett@vanmetrehomes.com
Correspondent?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Correspondent?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

PROPERTY OWNER(S)	
Company Name	Catholic Diocese of Arlington
Name of Person & Title	The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia and his successors in office
Mailing Address	200 N. Glebe Rd., Ste. 704
City, State, Zip Code	Arlington, VA 22203
Daytime Telephone	(703) 841-2521
E-mail Address	mlrtrwam@arlingtondiocese.org
Correspondent?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Correspondent?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

REPRESENTATIVE(S)	
Company Name	Cooley Godward Kronish LLP
Name of Person & Title	Jeffrey A. Nein, AICP Senior Land Use Planner
Mailing Address	11951 Freedom Drive
City, State, Zip Code	Reston, VA 20190-5656
Daytime Telephone	(703) 456-8103
E-mail Address	jnein@cooley.com
Correspondent?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Correspondent?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

CERTIFICATIONS	
<p>APPLICANT(S): The information provided is accurate to the best of my knowledge. I acknowledge that any percolation tests, topographic studies, or other requirements of the Health Official, Director of Building and Development, or Zoning Administrator will be carried out at my expense. I have read this completed application, and I hereby certify that the County may deny, approve, or conditionally approve that for which I am applying. I certify that all property corners have been clearly staked and flagged.</p>	
<p>Van Metre Communities, L.L.C. By: Fourth Genpar, Inc. Its: Manager</p>	<p>Jeffrey L. Gilliland, P.E. Project Engineer 7030 Infantry Ridge Road Manassas, VA 20109 (703) 361-1590 jgilliland@jzengrivers.com</p>
<p>Roy R. Barnett (Group President, Land Acquisition, Planning, Development) Printed Name of Applicant</p>	<p>Printed Name of Applicant</p>
<p>Signature of Applicant Date 12/09/09</p>	<p>Signature of Applicant Date</p>
<p>PROPERTY OWNER(S) (to be signed by all property owners): I have read this completed application, and I hereby consent to its filing. Furthermore, I grant permission to the Department of Building and Development and/or Planning and other authorized government agents to enter the property and make such investigations and tests as they deem necessary.</p>	
<p>The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia, and his successors in office</p>	<p>Printed Name of Property Owner Paul S. Loverde Date 11/23/09</p>
<p>Signature of Property Owner</p>	<p>Signature of Property Owner Date</p>

March 2, 2009

(Continued...)

SURROUNDING LAND USES AND ZONING			
LAND USE		ZONING	
NORTH	Residential	R-1	
SOUTH	Residential	PD-H4	
EAST	Residential	R-1	
WEST	Residential	PD-H4	

APPLICANT(S)	
Company Name	
Name of Person & Title	
Mailing Address	
City, State, Zip Code	
Daytime Telephone	
E-mail Address	
Correspondent?	Yes No
Correspondent?	Yes No

PROPERTY OWNER(S)	
Company Name	
Name of Person & Title	
Mailing Address	
City, State, Zip Code	
Daytime Telephone	
E-mail Address	
Correspondent?	Yes No
Correspondent?	Yes No

REPRESENTATIVE(S)	
Company Name	
Name of Person & Title	
Mailing Address	
City, State, Zip Code	
Daytime Telephone	
E-mail Address	
Correspondent?	Yes No
Correspondent?	Yes No

CERTIFICATIONS	
APPLICANT(S): The information provided is accurate to the best of my knowledge. I acknowledge that any percolation tests, topographic studies, or other requirements of the Health Official, Director of Building and Development, or Zoning Administrator will be carried out at my expense. I understand that the County may deny, approve, or conditionally approve that for which I am applying. I certify that all property owners have been clearly stated and flagged.	
Printed Name of Applicant	Printed Name of Applicant
Signature of Applicant	Signature of Applicant
Date	Date
PROPERTY OWNER(S) (to be signed by all property owners): I have read this completed application, understand its intent, and freely consent to its filing. Furthermore, I grant permission to the Department of Building and Development and/or Planning and other authorized government agents to enter the property and make such investigations and tests as they deem necessary.	
The Mayor, Paul S. Lovende, Mayor of the City of Arlington, and his successors	
Printed Name of Property Owner	Printed Name of Property Owner
Signature of Property Owner	Signature of Property Owner
Date	Date

March 2, 2009

Loudoun County Real Estate Tax, Assessment & Parcel Database

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Real Estate Tax - 2009

Map It

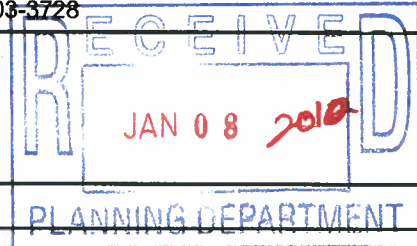
Recent Sales

Pay Taxes

Assessment

Owner and Legal - Residential

PIN: 158-27-9331-000	Tax Map: /92/////////29/
Current Owner Name& Address: MCMURTRIE JAMES W ADMINISTRATOR CATHOLIC DIOCESE OF ARLINGTON 200 N GLEBE RD STE 704 ARLINGTON VA 22203-3728	Jan 1 Owner Name& Address: MCMURTRIE JAMES W ADMINISTRATOR CATHOLIC DIOCESE OF ARLINGTON 200 N GLEBE RD STE 704 ARLINGTON VA 22203-3728
Legal Description: ROYVILLE 200406070056794P BLA 1625--1312	Acreage: 7.86 Land Use: No
Annual Taxable Assessment: \$1,421,600	



District: Regular	Supplement:		Tax Rate: 1.245 per \$100 assessed value		
1 st Half	Original Due Date: 6/5/2009		Date Levied: 4/8/2009		
Taxable Assessment: \$710,800	Waiver Date:		Date Last Paid: 5/15/2009		
	Tax Amount	Late Penalty	Interest Amount	Fees	Total Amount
Levied:	\$8,849.46				\$8,849.46
Paid:	\$8,849.46	\$0.00	\$0.00	\$0.00	\$8,849.46
Refunded:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Due:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

District: Regular	Supplement:		Tax Rate: 1.245 per \$100 assessed value		
2 nd Half	Original Due Date: 12/7/2009		Date Levied: 4/8/2009		
Taxable Assessment: \$710,800	Waiver Date:		Date Last Paid: 11/16/2009		
	Tax Amount	Late Penalty	Interest Amount	Fees	Total Amount
Levied:	\$8,849.46				\$8,849.46
Paid:	\$8,849.46	\$0.00	\$0.00	\$0.00	\$8,849.46
Refunded:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Due:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Date of Query: 12/22/2009

I, Jeffrey A. Nein, do hereby state that I am an

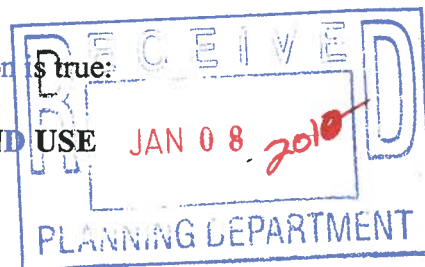
 Applicant

X Applicant's Authorized Agent listed in Section C.1. below

in Application Number(s): SPEX 2010-

and that to the best of my knowledge and belief, the following information is true:

C. DISCLOSURES: REAL PARTIES IN INTEREST AND LAND USE PROCEEDINGS



1. REAL PARTIES IN INTEREST

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application* and if any of the forgoing is a **TRUSTEE**** each **BENEFICIARY** of such trust, and all **ATTORNEYS**, and **REAL ESTATE BROKERS**, and all AGENTS of any of the foregoing.

All relationships to the persons or entities listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together (ex. Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc.) For a multiple parcel application, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

PIN	NAME (First, M.I., Last)	ADDRESS (Street, City, State, Zip Code)	RELATIONSHIP (Listed in bold above)
	Van Metre Communities, L.L.C. - Roy R. Barnett - Denise M. Harrover - Mark (nmi) McIntosh	5252 Lyngate Court Burke, VA 22015	Applicant/Contract Purchaser
158-27-9331	The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia, and his successors in office	200 N. Glebe Road, Ste. 704 Arlington, VA 22203-3728	Title Owner
	Roger G. Bowers	823 E. Main Street, Suite 1801 Richmond, VA 23219	Owner's Agent
	J2 Engineers, Inc. - Jeffrey L. Gilliland - James C. Bishoff	7030 Infantry Ridge Road Manassas, VA 20109	Agent/Civil Engineer
	M. J. Wells & Associates, Inc. - Martin J. Wells - Terence J. Miller - Michael J. Workosky	1420 Spring Hill Road Suite 600 McLean, VA 22102	Agent/Traffic Engineer

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

X There are additional Real Parties in Interest. See Attachment to Paragraph C-1.

I, Jeffrey A. Nein, do hereby state that I am an

 Applicant

X Applicant's Authorized Agent listed in Section C.1. below

in Application Number(s): SPEX 2010-

and that to the best of my knowledge and belief, the following information is true:

C. DISCLOSURES: REAL PARTIES IN INTEREST AND LAND USE PROCEEDINGS

1. REAL PARTIES IN INTEREST

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application* and if any of the forgoing is a **TRUSTEE**** each **BENEFICIARY** of such trust, and all **ATTORNEYS**, and **REAL ESTATE BROKERS**, and all AGENTS of any of the foregoing.

All relationships to the persons or entities listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together (ex. Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc.) For a multiple parcel application, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

<i>PIN</i>	<i>NAME</i> <i>(First, M.I., Last)</i>	<i>ADDRESS</i> <i>(Street, City, State, Zip Code)</i>	<i>RELATIONSHIP</i> <i>(Listed in bold above)</i>
	Cooley Godward Kronish LLP -Antonio J. Calabrese -Mark C. Looney -Colleen P. Gillis Snow -Jill Switkin Parks -Brian J. Winterhalter -Shane M. Murphy -Jeffrey A. Nein -Molly M. Novotny -Ben I. Wales	11951 Freedom Drive, Suite 1500 Reston, VA 20190-5656	Agent/Attorney

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

 There are additional Real Parties in Interest. See Attachment to Paragraph C-1.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Van Metre Communities, L.L.C., 5252 Lyngate Court, Burke, VA 22015

Description of Corporation:

☒ There are 100 or fewer shareholders and all shareholders are listed below.

☐ There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

☐ There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

☐ There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Van Metre Family AT, L.L.C.	
Richard J. Rabil	
A.G. Van Metre, Jr.	
Kenneth A. Ryan	
W. Brad Gable	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
NA	

Check if applicable:

☐ There is additional Corporation Information. See Attachment to Paragraph C-2.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Van Metre Family AT, L.L.C., 5252 Lyngate Court, Burke, VA 22015

Description of Corporation:

X There are 100 or fewer shareholders and all shareholders are listed below.

___ There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

___ There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

___ There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Alison Van Metre Paley	
Van Metre Family Trust	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

___ There is additional Corporation Information. See Attachment to Paragraph C-2.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Van Metre Family Trust, 5252 Lyngate Court, Burke, VA 22015

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Alison Van Metre Paley	
Albert G. Van Metre, Jr.	
Van Metre Family Foundation, Inc.	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

☐ There is additional Corporation Information. See Attachment to Paragraph C-2.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Van Metre Family Foundation, Inc., 5252 Lyngate Court, Burke, VA 22015

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
None – Private Charitable Foundation	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

☐ There is additional Corporation Information. See Attachment to Paragraph C-2.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia, and his successors in office, 200 N. Glebe Rd., Ste. 704, Arlington, VA 22203

Description of Corporation:

NA There are 100 or fewer shareholders and all shareholders are listed below.

NA There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

NA There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NA There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
NA	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Bishop Paul S. Loverde	

Check if applicable:

 There is additional Corporation Information. See Attachment to Paragraph C-2.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

J2 Engineers, Inc., 7030 Infantry Ridge Road, Manassas, VA 20109

Description of Corporation:

X *There are 100 or fewer shareholders and all shareholders are listed below.*

 There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

 There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

 There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Jeffrey L. Gilliland	
James C. Bishoff	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

 There is additional Corporation Information. See Attachment to Paragraph C-2.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

M. J. Wells & Associates, Inc., 1420 Spring Hill Road, Suite 600, McLean, VA 22102

Description of Corporation:

X *There are 100 or fewer shareholders and all shareholders are listed below.*

 There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

 There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

 There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Employee Stock Ownership Trust (ESOT)*	* The ESOT came into existence in April 2007 and the vesting schedule is more than one year. No stock has been assigned to shareholders at this time.

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

 There is additional Corporation Information. See Attachment to Paragraph C-2.

3. PARTNERSHIP INFORMATION

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

Partnership name and address: (complete name, street address, city, state, zip)

Cooley Godward Kronish LLP, 11951 Freedom Drive, Suite 1500, Reston, VA 20190

X (check if applicable) The above-listed partnership has no limited partners.

Names and titles of the Partners:

<i>NAME</i> (First, M.I., Last)	<i>Title</i> (e.g. General Partner, Limited Partner, etc)
Jane K. Adams	Partner
Gian-Michele a Marca	Partner
Maureen P. Alger	Partner
Gordon C. Atkinson	Partner
Michael A. Attanasio	Partner
Jonathan P. Bach	Partner
Celia Goldwag Barenholtz	Partner
Frederick D. Baron	Partner
James A. Beldner	Partner

Check if applicable:

X Additional Partnership information attached. See Attachment to Paragraph C-3.

NAME (First, M.I., Last)	Title (e.g. General Partner, Limited Partner, etc)	NAME (First, M.I., Last)	Title (e.g. General Partner, Limited Partner, etc)
Keith J. Berets	Partner	Lester J. Fagen	Partner
Laura A. Berezin	Partner	Brent D. Fassett	Partner
Russell S. Berman	Partner	David J. Fischer	Partner
Laura Grossfield Birger	Partner	M. Wainwright Fishburn, Jr.	Partner
Barbara L. Borden	Partner	M. Manuel Fishman (former)	Partner
Jodie M. Bourdet	Partner	Keith A. Flaum (former)	Partner
Wendy J. Brenner	Partner	Grant P. Fondo (former)	Partner
Matthew J. Brigham	Partner	Daniel W. Frank	Partner
Robert J. Brigham	Partner	Richard H. Frank	Partner
John P. Brockland (former)	Partner	William S. Freeman	Partner
James P. Brogan	Partner	Steven L. Friedlander	Partner
Nicole C. Brookshire	Partner	Thomas J. Friel, Jr.	Partner
Alfred L. Browne, III	Partner	Koji F. Fukumura	Partner
Matthew D. Brown	Partner	James F. Fulton, Jr.	Partner
Matthew T. Browne	Partner	Philip J. Gall (former)	Partner
Robert T. Cahill	Partner	William S. Galliani	Partner
Antonio J. Calabrese	Partner	Stephen D. Gardner	Partner
Linda F. Callison	Partner	John M. Geschke	Partner
Roel C. Campos	Partner	Kathleen A. Goodhart	Partner
William Lesse Castleberry	Partner	Lawrence C. Gottlieb	Partner
Lynda K. Chandler	Partner	Shane L. Goudey	Partner
Dennis (nmi) Childs	Partner	William E. Grauer	Partner
Ethan E. Christensen	Partner	Jonathan G. Graves	Partner
Richard E. Climan (former)	Partner	Kimberley J. Kaplan-Gross	Partner
Samuel S. Coates	Partner	Paul E. Gross	Partner
Alan S. Cohen	Partner	Kenneth L. Guernsey	Partner
Thomas A. Coll	Partner	Patrick P. Gunn	Partner
Joseph W. Conroy	Partner	Zvi (nmi) Hahn (former)	Partner
Jennifer B. Coplan	Partner	John B. Hale	Partner
Carolyn L. Craig	Partner	Andrew (nmi) Hartman	Partner
John W. Crittenden	Partner	Bernard L. Hatcher	Partner
Janet L. Cullum	Partner	Matthew B. Hemington	Partner
Nathan K. Cummings	Partner	Cathy Rae Herschopf	Partner
John A. Dado	Partner	John (nmi) Hession	Partner
Craig E. Dauchy	Partner	Gordon K. Ho	Partner
Darren K. DeStefano	Partner	Suzanne Sawochka Hooper	Partner
Scott D. Devereaux	Partner	Mark M. Hrenya	Partner
Jennifer Fonner DiNucci	Partner	Christopher R. Hutter	Partner
James J. Donato (former)	Partner	Jay R. Indyke	Partner
Michelle C. Doolin	Partner	Craig D. Jacoby	Partner
John C. Dwyer	Partner	Eric C. Jensen	Partner
Robert L. Eisenbach, III	Partner	Robert L. Jones	Partner

Check if applicable:

X Additional information for Item C-3 is included on an additional copy of page C-3.

NAME (First, M.I., Last)	Title (e.g. General Partner, Limited Partner, etc)	NAME (First, M.I., Last)	Title (e.g. General Partner, Limited Partner, etc)
Barclay J. Kamb	Partner	Timothy J. Moore	Partner
Richard S. Kanowitz	Partner	Webb B. Morrow, III	Partner
Jeffrey S. Karr	Partner	Kevin P. Mullen	Partner
Scott L. Kaufman	Partner	Frederick T. Muto	Partner
Sally A. Kay	Partner	Ryan (nmi) Naftulin	Partner
J. Michael Kelly	Partner	Stephen C. Neal	Partner
Jason L. Kent	Partner	James E. Nesland (former)	Partner
James C. Kitch	Partner	Alison (nmi) Newman	Partner
Michael J. Klisch	Partner	William H. O'Brien	Partner
Michael H. Knight (former)	Partner	Thomas D. O'Connor	Partner
Jason (nmi) Koral	Partner	Vincent P. Pangrazio	Partner
Barbara A. Kosacz	Partner	Timothy G. Patterson	Partner
Kenneth J. Krisko	Partner	Anne H. Peck	Partner
John G. Lavoie	Partner	D. Bradley Peck	Partner
Robin J. Lee	Partner	Susan Cooper Philpot	Partner
Shira Nadich Levin	Partner	Benjamin D. Pierson	Partner
Alan (nmi) Levine	Partner	Frank V. Pietrantonio	Partner
Michael S. Levinson	Partner	Mark B. Pitchford	Partner
Elizabeth L. Lewis	Partner	Michael L. Platt	Partner
Michael R. Lincoln	Partner	Christian E. Plaza	Partner
James C. T. Linfield	Partner	Lori R.E. Ploeger	Partner
David A. Lipkin	Partner	Thomas F. Poche	Partner
Chet F. Lipton	Partner	Anna B. Pope	Partner
Cliff Z. Liu	Partner	Marya A. Postner	Partner
Samuel M. Livermore	Partner	Steve M. Przesmicki	Partner
Douglas P. Lobel	Partner	Seth A. Rafkin	Partner
J. Patrick Loofbourrow	Partner	Frank F. Rahmani	Partner
Mark C. Looney	Partner	Marc (nmi) Recht	Partner
Robert B. Lovett	Partner	Thomas Z. Reicher	Partner
Andrew P. Lustig	Partner	Eric M. Reifschneider	Partner
Michael X. Marinelli	Partner	Michael G. Rhodes	Partner
John T. McKenna	Partner	Michelle S. Rhyu	Partner
Daniel P. Meehan (former)	Partner	Julie M. Robinson	Partner
Beatriz (nmi) Mejia	Partner	Ricardo (nmi) Rodriguez	Partner
Thomas C. Meyers	Partner	Adam C. Rogoff	Partner
Erik B. Milch	Partner	Jane (nmi) Ross (former)	Partner
Robert H. Miller	Partner	Richard S. Rothberg	Partner
Chadwick L. Mills	Partner	Adam J. Rutenberg	Partner
Brian E. Mitchell	Partner	Adam (nmi) Salassi	Partner
Patrick J. Mitchell	Partner	Thomas R. Salley, III	Partner
Ann M. Mooney	Partner	Richard S. Sanders	Partner
Gary H. Moore	Partner	Glen Y. Sato	Partner

Check if applicable:

X Additional information for Item C-3 is included on an additional copy of page C-3.

NAME (First, M.I., Last)	Title (e.g. General Partner, Limited Partner, etc)	NAME (First, M.I., Last)	Title (e.g. General Partner, Limited Partner, etc)
Martin S. Schenker	Partner	John H. Toole	Partner
Joseph A. Scherer	Partner	Robert J. Tosti (former)	Partner
Paul H. Schwartz (former)	Partner	Michael S. Tuscan	Partner
Renee (nmi) Schwartz	Partner	Edward Van Geison	Partner
William J. Schwartz	Partner	Miguel J. Vega	Partner
Brent B. Siler	Partner	Erich E. Veitenheimer, III	Partner
Gregory A. Smith	Partner	Aaron J. Velli	Partner
Whitty (nmi) Somvichian	Partner	Robert R. Vieth	Partner
Mark D. Spoto	Partner	Lois K. Voelz	Partner
Wayne O. Stacy	Partner	Craig A. Waldman (former)	Partner
Neal J. Stephens	Partner	Kent M. Walker	Partner
Donald K. Stern	Partner	David A. Walsh	Partner
Michael D. Stern	Partner	David M. Warren	Partner
Anthony M. Stiegler	Partner	Steven K. Weinberg	Partner
Steven M. Strauss	Partner	Thomas S. Welk	Partner
Myron G. Sugarman	Partner	Christopher A. Westover	Partner
Christopher J. Sundermeier	Partner	Francis R. Wheeler	Partner
Ronald R. Sussman	Partner	Brett D. White	Partner
C. Scott Talbot	Partner	Peter J. Willsey	Partner
Mark P. Tanoury	Partner	Nancy H. Wojtas	Partner
Philip C. Tencer	Partner	Jessica R. Wolff	Partner
Gregory C. Tenhoff	Partner	Nan (nmi) Wu	Partner
Michael E. Tenta	Partner	John F. Young	Partner
Timothy S. Teter	Partner	Kevin J. Zimmer	Partner
ADDITIONS:			
Elias J. Blawie	Partner	Mazda K. Antia	Partner
Renee R. Deming	Partner	Connie N. Bertram	Partner
Sonya F. Erickson	Partner	Christopher C. Campbell	Partner
Alison J. Freeman-Gleason	Partner	Jeffrey L. Cohen	Partner
Jon E. Gavenman	Partner	Wendy (nmi) Davis	Partner
Kevin F. Kelly	Partner	Erik S. Edwards	Partner
Natasha V. Leskovsek	Partner	Jeffrey M. Gutkin	Partner
Mark A. Medearis	Partner	Mark L. Johnson	Partner
Keith A. Miller	Partner	Heidi M. Keefe	Partner
Amy E. Paye	Partner	Kristen D. Kercher	Partner
John W. Robertson	Partner	Charles S. Kim	Partner
John H. Sellers	Partner	John S. Kyle	Partner
Mark B. Weeks	Partner	Mark F. Lambert	Partner
Mark (nmi) Windfield-Hansen	Partner	Ian (nmi) O'Donnell	Partner
Mavis L. Yee	Partner	Audrey K. Scott	Partner

Check if applicable:

X Additional information for Item C-3 is included on an additional copy of page C-3.

4. ADDITIONAL INFORMATION

- a. One of the following options **must** be checked:

☐ In addition to the names listed in paragraphs C. 1, 2, and 3 above, the following is a listing of any and all other individuals who own in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

☒ Other than the names listed in C. 1, 2 and 3 above, no individual owns in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

Check if applicable:

☐ Additional information attached. *See Attachment to Paragraph C-4(a).*

- b. That no member of the Loudoun County Board of Supervisors, Planning Commission, Board of Zoning Appeals or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land, or as beneficiary of a trust owning such land.

EXCEPT AS FOLLOWS: (If none, so state). NONE.

Check if applicable:

☐ Additional information attached. *See Attachment to Paragraph C-4(b).*

- c. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household, either individually, or by way of partnership in which any of them is a partner, employee, agent or attorney, or through a partner of any of them, or through a corporation (as defined in the Instructions at Paragraph B.3) in which any of them is an officer, director, employee, agent or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has or has had any business or financial relationship (other than any ordinary customer or depositor relationship with a retail establishment, public utility, or bank), including receipt of any gift or donation having a value of \$100 or more, singularly or in the aggregate, with or from any of those persons or entities listed above.

EXCEPT AS FOLLOWS: (If none, so state). NONE.

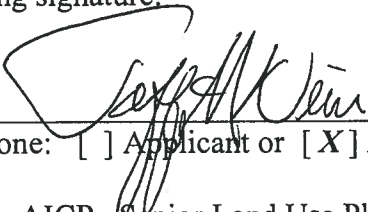
Check if applicable:

☐ Additional information attached. *See Attachment to Paragraph C-4(c).*

D. COMPLETENESS


That the information contained in this affidavit is complete, that all partnerships, corporations (as defined in Instructions, Paragraph B.3), and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, OR LESSEE of the land have been listed and broken down, and that prior to each hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including any gifts or business or financial relationships of the type described in Section C above, that arise or occur on or after the date of this Application.

WITNESS the following signature:

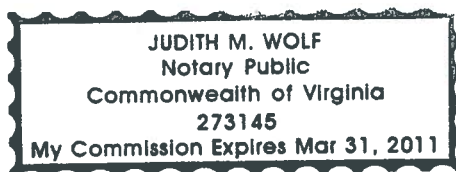

check one: ☐ Applicant or ☒ Applicant's Authorized Agent

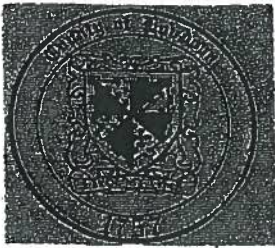
Jeffrey A. Nein, AICP Senior Land Use Planner
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 23rd day of December 20 09, in
the State/Commonwealth of Virginia, in the County/City of Fairfax.


Notary Public

My Commission Expires: 3/31/2011





Loudoun County, Virginia

Department of Planning

1 Harrison Street, S.E., 3rd Floor, P.O. Box 7000, Leesburg, VA 20177-7000

Telephone (703) 777-0246 • Fax (703) 777-0441

RECORD OF PRE-APPLICATION CONFERENCE

PRE-APPLICATION CASE NUMBER/NAME/CASE TYPE	PRAP 2009-0084 Stone Ridge Community Development Child Care Center	SPEX 11/19/09 11:00
DATE OF CONFERENCE		

ATTENDANCE LISTING

NAME	AFFILIATION
VAN ARMSTRONG	LOUDOUN Co. PLANNING DEPT.
ROY BARNETT	VAN METZ CO.
JEFF NEIN	COULBY COMMUNITY DEVELOPMENT LLP
Kelly Williams	Community Planning
Sara Phillips	OTIS Transportation

I verify that a pre-application conference on the above-referenced proposal has been conducted in accordance with *Article VI* of the Loudoun County Zoning Ordinance. No matters discussed shall be binding on either the applicant or the County. A copy of this form shall be submitted by the applicant with the official application for checklist review. A summary of issues discussed is not required to be submitted with the official application.

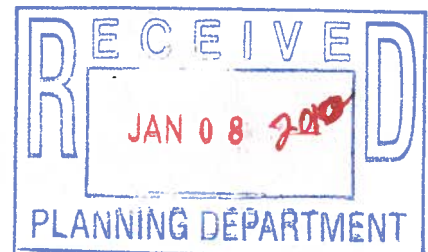
Director, Department of Planning or Designee:

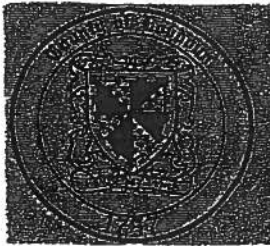
Van Ant

Date:

11/19/09

Application Fee: SPEX USE > 10,000 SF - \$15,750





Loudoun County, Virginia

Department of Planning

1 Harrison Street, S.E., 3rd Floor, P.O. Box 7000, Leesburg, VA 20177-7000

Telephone (703) 777-0246 • Fax (703) 777-0441

SYNOPSIS OF PRE-APPLICATION CONFERENCE ISSUES DISCUSSED

PRE-APPLICATION CASE NUMBER/NAME/CASE TYPE	PRAP 2009-0084 Stone Ridge Community Development Child Care Center	SPEX 11/19/09 11:00
DATE OF CONFERENCE		

1. ISSUES RAISED BY THE APPLICANT

PROPOSED 2 ACRZ DAYCARE SITE ALONG RYAN ROAD, SERVED BY DRIVEWAY /OR PUBLIC ROAD SIDE STREET. APPROX. 200 CHILD CAPACITY. ENVIRONMENTAL STUDIES COMPLETE FROM RYAN ROAD ZMAP (WITHDRAWN). WILL BE SURROUNDED BY LOW-DENSITY SP D'S AND TOWNHOUSES TO WEST. WILL CONSOLIDATE PROPERTY (LOTS) IF SPEX USE APPROVED. WOULD CLOSE CURRENT ENTRANCE ONTO RYAN RD.

2. COMPREHENSIVE PLANNING ISSUES DISCUSSED

REVISED GEN'L PLAN - RETAIL POLICIES APPLY w/ DESIGN GUIDELINES. LOCATE IN AREA SERVED. DAY CARE USE APPROPRIATE. DESCRIBE MKT. AREA SERVED, OTHER DAYCARE IN VICINITY. BIKE / PED. POLICIES APPLY - TRAILS / SIDEWALK. PROVIDE SCREENING / BUFFERING, ELEVATIONS OF BLDG. PROVIDE ARCHEOLOGY, HISTORIC INFO. ON SITE.

3. ZONING ISSUES DISCUSSED ___ 1972. ___ 1993 ☒ Revised 1993 Zoning Ordinance

EXISTING ZONE R-1. STANDARDS FOR DAYCARE RE:

PICK-UP/DROP-OFF SPACE AND OUTDOOR PLAY SPACE REQUIREMENTS

CAN PLAY AREA INCLUDE BUFFERS W/ FENCING AT PERIMETER

IN RELATION TO 75 S.F. PLAY AREA REQUIREMENT? CHECK

THRU ZONING / REFERRAL.

4. TRANSPORTATION ISSUES DISCUSSED

PROVIDE TRAFFIC STUDY FOR USE, EXAMINE ACCESS,
ENTRANCES, SIGNAL NEEDS. TRIP GENERATION + BACKGROUND
TRIPS. 120' ROW FOR RYAN ROAD.

To scope traffic study, contact George Phillips, Office of Transportation Services 703-737-8624.

5. OTHER ISSUES DISCUSSED

SEE HEALTH DEPT. COMMENTS ATTACHED.

6. REVIEW AND PROCESSING PROCEDURES DISCUSSED

SPEX PROCESS ~ 4-6 MONTHS W/ 2 PUBLIC HEARINGS
TO P.C. + B.O.S.

Conference Coordinator:

Van Anty

Date:

11/19/09

Armstrong, Van

From: Lock, Joe
Sent: Thursday, November 12, 2009 12:46 PM
To: Merrithew, John E.; Armstrong, Van
Cc: Brewer, Alan
Subject: PRAP 2009-0084, SPEX Stone Ridge Community Development II, PIN 118295717

Gentlemen,

This office will be unable to attend the pre-application meeting. The following is the comment for this project.

1) For ZMAP 2004-0014, this office required the abandonment of the existing well and drainfield for the existing house. Applications must be submitted for the abandonment permits. No fee is required for abandonment permits. A demolition application with Building and Development and a BOCA application from this Department is required (\$25 fee) for the existing structure.

Joe Lock
Loudoun County Health Department
(703) 771-5800

VAN METRE COMMUNITIES, L.L.C.

**RYAN ROAD CHILD CARE CENTER
SPECIAL EXCEPTION APPLICATION**

STATEMENT REGARDING COMMUNITY MEETINGS

Upon acceptance of this application by the County, it is the Applicant's intent to meet with adjacent and other interested property owners to discuss the scope of the proposed special exception and to solicit comments. The County's project manager will be advised of all scheduled community meetings.



Van Metre Communities, L.L.C.
5252 Lyngate Court
Burke, VA 22015

The Most Reverend Paul S. Loverde
Bishop of the Catholic Diocese of
Arlington, Virginia
200 N. Glebe Rd., Ste. 704
Arlington, VA 22203

Brambleton Group LLC
42395 Ryan Rd., Ste. 301
Brambleton, VA 20148-4867

Brambleton Community Asscn Inc
42645 Regal Woods Dr.
Brambleton, VA 20148-6996

Estates of Forest Ridge HOA
c/o Koger Mgmt Group Inc.
312 E. Market St., Ste. C
Leesburg, VA 20176

Craig H., Jr., & Martina Duncan
22591 Forest View Ct.
Ashburn, VA 20148-7322

Estates at Forest View HOA
4090 Lafayette Center Dr., Ste. A
Chantilly, VA 20151-1244

Catholic Diocese of Arlington
c/o Rev Msgr James W. McMurtrie
200 N. Glebe Rd. Ste. 704
Arlington, VA 22203

Brambleton Community Association
42645 Regal Woods Dr.
Brambleton, VA 20148-6996

Receipt of Payment

Page 1 of 1

Receipt Number : 109695398
Transaction Number : A000000006481
Payment Method: CHECK
Check Number: 00079720



Date: 2010-01-13
Amount: \$15,750.00
Check Escrow Flag: N
Check Writer: VAN METRE SERVICES

Detail Information

15,750.00 SPEX-2010-0001 TOTAL FEE